

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) CASE NO. MJ 11-615
v.)
CODY R. SHIPLEY,) DETENTION ORDER
Defendant.)

Offense charged: Felon in Possession of a Firearm

Date of Detention Hearing: January 23, 2012.

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
18 that no condition or combination of conditions which defendant can meet will reasonably
19 assure the appearance of defendant as required and the safety of other persons and the
20 community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 1. Defendant, having been previously convicted of a crime punishable by

01 imprisonment for a term exceeding one year, is charged with possession of a .45 caliber pistol
02 which had been shipped and transported in interstate and foreign commerce.

03 2. Defendant's criminal record includes multiple failures to appear. He has no
04 stable residential address. Pretrial Services indicates the defendant has substance abuse issues
05 involving heroin and methamphetamine. The AUSA proffers defendant was found with
06 heroin when arrested by tribal police, and initially gave a false name.

07 3. Defendant poses a risk of nonappearance due to contradictory residential
08 history, lack of a viable release address, a history of failing to appear and failing to comply, and
09 mental health and substance abuse issues. Defendant poses a risk of danger due to criminal
10 history which includes resisting arrest, a history of failing to comply with court orders and
11 substance abuse issues.

12 4. There does not appear to be any condition or combination of conditions that will
13 reasonably assure the defendant's appearance at future Court hearings while addressing the
14 danger to other persons or the community.

15 It is therefore ORDERED:

- 16 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
17 General for confinement in a correction facility separate, to the extent practicable, from
18 persons awaiting or serving sentences or being held in custody pending appeal;
- 19 2. Defendant shall be afforded reasonable opportunity for private consultation with
20 counsel;
- 21 3. On order of the United States or on request of an attorney for the Government, the
22 person in charge of the corrections facility in which defendant is confined shall deliver

01 the defendant to a United States Marshal for the purpose of an appearance in connection
02 with a court proceeding; and

03 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
04 for the defendant, to the United States Marshal, and to the United State Pretrial Services
05 Officer.

06 DATED this 24th day of January, 2012.

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09 Mary Alice Theiler
10 United States Magistrate Judge
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